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# PATENT OF AUDITOR AND SURVEYOR GENERAL.

From Randolph MSS., Virginia Historical Society MSS. Collections.

## Mr. Blathwayt's Patent of Auditor and Surveyor General of the Plantations.

Charles the Second by the grace of God of England, Scotland, France & Ireland, King Defender of the Faith &c. To all to whom these presents shall come Greeting: Know ye, that we, out of our Royal care of the good Government and direction of our affairs in the remoter parts of the world, and particularly taking into our princely consideration, how necessary it is for us to Settle our Revenues arising within and from our Several foreign Dominions, Islands, Colonies, and Plantations in America, and how much it would tend to the advantage of our Service and benefits of our Subjects to make some better provision for the due payment to us, our Heirs and Successors of our said Revenues, and for the due and orderly taking, examining and Stating the accompts of all and every the collectors, Receivers, auditors, Treasurers, sub-collectors, and other inferior officers, ministers and persons, to whom it shall or may appertain or belong to act or intermeddle in or with the collecting, Levying or Receiving of any the Sums of money growing or arising and due and payable unto us, in and from any of our foreign Dominions in America, which will be best effected and brought to pass by erecting an office for the Inspection, Examination and audit of all and Singular accompts of all moneys arising and growing due and payable to us, and accruing within our said colonies; Have for the causes and reasons aforesaid, as also for divers other great and weighty causes and considerations as hereunto especially moving, created, erected, and Established, and by the presents for us, our Heirs and Successors do create, erect and establish an office of General Inspection, examination and audit of all and Singular accompts of all

and Singular Summ and Sums of money arising and growing due and payable unto us or accruing or which shall arise and grow, become due and payable to us, and accruing in or from any of our foreign Dominions, colonies and Plantations in America; and the chief officer thereof shall be stiled and called surveyor and Auditor General of all our Revenues arising in America. Know ye further that we reposing especial trust and confidence in the faithfulness, abilities and circumspection of our trusty and well beloved Subject William Blathwayt Esq'r, and for divers other good causes and consideration as thereunto especially moving, of our especial Grace, certain Knowledge and own motion, have given and granted and by these Presents do give and grant unto him the said William Blathwayt the said office of surveyor and auditor generall of all our Provences arising in America. And we do also give to him the Said William Blathwayt full power aad authority to Inspect, examine, State and audit and with the allowance, authority and consent of the Lord high Treasurer, commissioners of our Treasury and chancellor of the exchequer for the time being, to determine all and singular accompts of all such Rents, Revenues, Prizes, Fines, Escheats, Forfeitures, Duties and Profits whatsoever, as are by reason or cause of any matter or thing happen'd or fallen since the beginning of the first war that was between us and the states general of the United Netherlands since our Restoration and not before, and which shall at any time hereafter happen, fall, become or be due and payable or accruing unto us, our Heirs and Successors during the continuance of this grant in or from all or any of our said foreign Dimensions, Islands, colonies, and Plantations in America as also by all lawfull ways and means to cause to be recover'd and paid to the proper officer to our use all such Rents, Revenues, Prizes, Fines, Escheat, Forfeitures, Duties and Profits as are now or shall be hereafter due or owing to us our Heirs, and Successors, within or from our said Foreign Dimensions in America; and to do and perform all and every such other matter, cause or thing, in relation to the said accompts and Revenues, which to the office and place of our Surveyor General or any our auditors of our Exchequer in England, doth or may belong or appertain, as to our accompts and Revenues in England, and him the said William Blathwayt Sur-

veyor and auditor general of the Rents, Duties, Revenues, Prizes, Fines, Forfeitures, Escheats and Profits aforesaid, we do by these presents for us our Heirs and successors make, ordain and constitute to have, hold, enjoy and exercise the said office of Surveyor and auditor general unto him the said William Blathwayt by himself or his sufficient Deputy or Deputies for and during the time and so long as he shall well behave himself in the said office.

For the better Encouragement of him the said William Blathwayt diligently and faithfully to execute the said office and employment of Surveyor and Auditor General as aforesaid. We have given and granted and by these presents do give and grant for us our Heirs and successors, unto the said William Blathwayt the annuity or yearly Salary of five hundred pounds Sterling. To have, hold, receive and enjoy the Said year by Salary of five hundred pounds Sterl. to him the said William Blathwayt during his good Behaviour in the Said office out of the Said Rents, Revenues, Prizes, Fines, Forfeitures, Escheats, Duties and profits arising or growing due or payable as aforesaid in or from our said Dominion, Colonies and Plantations of America by the hands of Treasurers, Receiver, collectors, or other officers or persons for the time being, out of such our Treasure as shall be remaining in their hands after and according to the propositions following, that is to say, out of all or any the Rents and other the duties and Profits aforesaid arising in or from our Dominion and colony of Virginia, the Summ of one hundred Pounds out of our Island of Barbadoes the Sum of one hundred and fifty pounds, out of our Islands commonly called the Leward Chanby Islands, the Sum of one hundred pounds out of our Island of Jamaica the Sum of one hundred and fifty pounds to be allowed them on their respective accompts and to be receiv'd by the Said William Blathwayt as aforesaid quarterly at the four most usually feast days in the year by even and equal portions, and the said payments to commence from the Feast of the Annunciation of the blessed Virgin Mary last past.

We do hereby authorize, will and direct all officers and persons whom it may concern to make due payment and allowance of the said annuity or Salary of five hundred pounds Sterl. in manner as aforesaid, according to the purport, true intent and

meaning of these presents for which the acquittance of the said William Blathwayt his Executors administrators shall be to such officers and persons a sufficient discharge. And to the end the same office and Place of our Surveyor and auditor general may be duly and rightly executed, we do hereby will and command the said William Blathwayt and his deputies to be obedient to, and observe such orders, Rules, and Directions for and concerning the same, and relating thereunto, as the High Treasurer of England, or the Commissioners of the Treasury, and the chancellor of the Exchequer for the time being shall from time to time direct and appoint, which directions and orders shall be unto him the Said William Blathwayt at all times a good and sufficient warrant and discharge, and that he do deliver unto them from time to time respectively a fair and just state of all such accompts as he shall receive from the respective officers settled or established, or to be settled or established within our said Plantations, colonies, and Dominions in America aforesaid, and that the Said William Blathwayt do also from time to time offer and present to our high Treasurer or Commissioner of the Treasury for the time being such proposals and observations concerning our said Duties and Revenues as may any ways tend to our Service, and for the more effectual execution and performance of the Premises, we do hereby further impower and authorize the said William Blathwayt from time to time to constitute and appoint by any writing under his hand and Seal, such inferior officers for the better expediting and carrying on our Service in relation to the said office, as by nomination, warrant and direction, from our high Treasurer of England, or commissioners of the Treasury for the time being, the said William Blathwayt shall be directed and then from time to time to remove suspend and displace, as to him the said William Blathwayt with the allowance and direction of the Lord Treasurer or Commissioners of the Treasury for the time being shall be thought necessary and expedient.

Whereas there is an auditor general established by our authority within our colony of Virginia, We do hereby especially provide and require that the auditor General for the time being do from time to time transmit and deliver unto the said William

Blathwayt his Deputy or Deputies from time to time and at all times, the full and particular state of all accompts of monies arising or payable within our said colony as he the said auditor of Virginia shall and ought to receive the same from the respective collectors, Receivers, and other officers Lawfully appointed to collect, receive and manage our said Revenue, and after the determination of the present Grant or grants of the said office of auditor general of Virginia, the said office is to be annex'd, and we do hereby annex the same to the office of auditor and Surveyor general hereby erected, and the said William Blathwayt and his successors in the said office hereby erected shall do and Perform by themselves and Deputies all the powers and authorities which are and ought to be executed at this present by the said auditor general of Virginia.

Further it is our express will and pleasure, that by the name and Title of Rents, Revenues, Prizes, Fines, Escheats, forfeitures, Duties and Profits, arising, due and payable unto us within our said Dominions be understood and comprized to all intents and purposes amongst other things all and all manner of arrears of monies, Rents, Revenues, Prizes and Prize goods, Fines, Forfeitures, Escheats, Duties and Profits which have arisen within our said Dominions of America, and which are due, payable or accomptable unto us, our Heirs and Successors by any person or persons whatsoever by cause or reason of any matter or thing happen'd or done since the beginning of the first war which was between us and the States general of the United Netherlands since our Restoration and not before, and all that shall hereafter happen, fall or become due to us, our Heirs and Successors during the continuance of this Grant, and also all Seizures and forfeitures since that time lawfully belonging, or which shall at any time hereafter belong unto us our Heirs and successors by virtue of any Law or Statute of our Kingdom of our said Dominions in America respectively, or by reason of any special License, grant or Charter held of us whether the same be made on Land or upon the Sea in any part or part whatsoever lying or Scituate or commonly accounted or esteemed to be lying or Scituate within the Limits and bounds of America aforesaid, and we do hereby for us our Heirs & Successors require and command all governors, Deputy-Governors, Councils,

and commanders in chief and their and every of their Subordinate officers and ministers respectively, and all and every collector, Receiver and Treasurer and all other officers and persons whatsoever of, in or appertaining to our said colonies and Dominions in America from time to time to observe, fulfill and obey our will and pleasure in all things concerning the premises, and to be aiding, favouring and assisting to the said Wm. Blathwayt his Deputy or Deputies in the due execution thereof.

We do by these presents for us our Heirs and Successors grant unto the said William Blathwayt, that these our Letters Patents or the enrollment or exemplification thereof shall be good and effectual in the Law, and shall be allow'd of as well in all courts of Record or else where within our Realm of England as also within any of our said Islands, Plantations, Territories and Dominions whatsoever, for his the said William Blathwayt having, exercising and enjoying the said office and annuity or Salary according to the intent and purpose and true meaning of these presents, without any further or other warrant in that behalf, and lastly it provided, intended and declared that these presents or any thing therein contain'd shall not extend or be construed to extend to empower the said William Blathwayt or any other person or persons whatsoever to act or intermeddle with the Customs, Imposts or duties ariseing here in England for or upon any wares, goods or merchandise imported into this Kingdom from our said Colonies and Plantations in America, or with any bond or obligation taken or to be taken in pursuance of any act of Parliament at any time heretofore made in England, or with any rates or Duties payable unto us for goods transported from one Plantation to another, by virtue of an act of Parliament made in the 25th year of our Reign any thing herein contain'd to the contrary notwithstanding, although express mention of the true yearly value or certainty of the Premmises, or of any of them, or of any other gifts or grants by us or by any of our Progenitors or Predecessors heretofore made to the said William Blathwayt, in these presents is not made, or any statute, ordinance, Provision, Proclamation, Restriction, heretofore had made, enacted, ordained, provided, or any other matter, cause or thing whatsoever to the contrary in any wise

notwithstanding. In witness whereof we have caused these our Letters to be made Patents. Witness our Self at Westminster the 19th day of May in the 32nd of our Reign.

By writ of Privy Seal,

PIGOTT.

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## INSTRUCTIONS TO FRANCIS NICHOLSON.

INSTRUCTIONS TO FRANCIS NICHOLSON, ESQ., HIS MAJESTY'S LIEUT. AND GOVERNOR-GEN'L OF VIRGINIA.

His Majesty's will and pleasure is that the members of his said Council shall and may have and enjoy freedom of Debate and vote in all affairs of Publick concern that may be debated in Council. And altho by his Majesty's commission* he has thought fitt to direct that any three of the councillors make a Quorum, It is nevertheless his majesty's will and pleasure that you do not act with a Quorum less than five members, unless upon extraordinary Emergencies, when a greater number can not be conveniently had.

And that his majesty may be always informed of the names of the persons fit to Supply the vacancies that shall happen in his said Council, you are to transmit unto his majesty by one of his principal Secretaries of State and to the Commissioners for Trade and Plantations with all convenient speed the names and character of twelve persons Inhabitants of his said Colony, whom you shall esteem the best qualify'd to succeed in that Trust, and so from time to time when any of them shall dye, depart out of the said Colony, or become otherwise unfit, you are to supply the first number of twelve persons by nominating others to his Majesty in their stead. And in the choice and

*These instructions were supplementary to Governor Nicholson's commission.